



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
WWW.USPTO.GOV

Paper No. 70

SHEARMAN & STERLING  
1080 MARSH ROAD  
MENLO PARK CA 54025

**COPY MAILED**

**JUL 08 2003**

**OFFICE OF PETITIONS**

In re Patent No. 5,807,715  
Issued: September 15, 1998  
Application No. 08/266,154  
Filed: June 27, 1994  
Attorney Docket No. BD1CIPFWCIII

ON PETITION

This is a decision on the petition under 37 CFR 1.182 filed January 21, 2003 (certificate of mailing date January 16, 2003), for issuance of a corrected patent. The petition is being treated under 37 CFR 1.182 as a request to reprint the front page of the Letters Patent.

The petition under 37 CFR 1.182 to reprint the front page of the Letters Patent is **DISMISSED**.

Petitioner is advised that it is the practice of the U.S. Patent and Trademark Office (USPTO) to issue a certificate of correction to correct an error on the part of an application in those cases where the assignee or attorney data is incorrect or was inadvertently not provided at the time of payment of the issue fee or the inventor's name is misspelled or otherwise incorrect. Note 37 CFR 1.323 and MPEP 1482 (35 U.S.C. 255), which states:

Whenever a mistake of a clerical or typographical nature, or of minor character, which was not the fault of the Patent and Trademark Office, appears in a patent and a showing has been made that such mistake occurred in good faith, the Commissioner may, upon payment of the required fee, issue a certificate of correction, if the correction does not involve such changes in the patent as would constitute new matter or would require re-examination. Such patent, together with the certificate, shall have the same effect and operation in law on the trial of actions for causes thereafter arising as if the same had been originally issued in such correct form."

In addition, the USPTO will reprint the front page of the Letters Patent if the following conditions are met:

1. Submission of a petition under 37 CFR 1.182
2. Payment of a \$130 petition fee
3. Payment of a \$100 fee to place a certificate of correction in the USPTO archives
4. Return of the original Letters Patent

In this instance, all substantive errors in the patent have already been corrected by way of certificates of correction. Petitioner desires the full name of the assignee -- "The Trustees of Columbia University in the City of New York" -- to be listed on the first page of the patent. The full name of the assignee was not provided on the Issue Fee Transmittal.

The appropriate avenue to obtain relief is to file:

(1) a petition under 37 CFR 1.183 to waive the rules and accept the correction of the assignee on the front page of the above-identified patent by way of a certificate of correction -- the petition must include a completed certificate of correction form, the \$130 petition fee, and the \$100 certificate of correction fee

and

(2) a reconsideration petition under 37 CFR 1.182 to reprint the assignee's name, as well as the correct title, etc. on the front page of the Letters Patent. The desired changes must be reflected in the request for the certificate of correction. As stated above, petitioner must return the original Letters Patent. Please note that only the front page of the Letters Patent is reprinted. All other copies are considered corrected by the normal certificate of correction process.

The file will be returned to Files Repository.

Further correspondence with respect to this matter should be addressed as follows:

**By mail:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**By hand:** Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

**By Fax:** (703) 308-6916  
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6712.



E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions